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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

10 UNITED STATES OF AMERICA,) No. CR-10-00352 PJH
11 Plaintiff,) STIPULATED REQUEST TO CONTINUE
12 v.) SENTENCING HEARING DATE TO
13 JONG MOON CHOI,) AUGUST 29, 2012 AND [PROPOSED]
14 Defendant.) ORDER
15) Hearing Date: July 11, 2012
16) Time: 2:30 p.m.

17 The parties jointly request that the Court vacate and continue the sentencing hearing date
18 set for Jong Moon Choi on July 11, 2012, and that the Court continue this matter to August 29,
19 2012, at 2:30 p.m., to give the parties additional time to prepare this matter for sentencing.
20 Because Mr. Choi has already entered into a change of plea pursuant to an agreement with the
21 government, the Speedy Trial Act does not apply.

22 On April 29, 2010, the Grand Jury charged Mr. Choi and two other defendants in a fifty-
23 count indictment with conspiracy, tax evasion and structuring, in violation of 18 U.S.C. § 371, 26
24 U.S.C. § 7201 and 31 U.S.C. § 5324(a)(3). On March 14, 2012, Mr. Choi pleaded guilty to one
25 count in the Indictment pursuant to a plea agreement with the government. The plea agreement
26 was filed under seal.

1 The parties request this continuance to allow additional time to prepare this case for
2 sentencing. Mr. Choi lives in Atlanta and next week plans to fly to Oakland, California for his
3 interview with the probation office. Because of the delay in having him interviewed, additional
4 time may be necessary to prepare the Pre-Sentence Investigation Report. Moreover, the parties
5 agree that it is appropriate, given the plea agreement in this case, to have Mr. Choi's sentencing
6 hearing follow the sentencing date of his two co-defendants, both of whom are scheduled to
7 appear before the Court in early August. Counsel for Mr. Choi contacted the probation officer
8 assigned to this case, Catheryn Grier, to confirm that Ms. Grier is available to appear on August
9 29, 2012.

10 For these reasons, the parties stipulate and agree that it is appropriate to continue the
11 sentencing date to August 29, 2012 at 2:30 p.m. The parties further agree that the Speedy Trial
12 Act does not apply.

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1 DATED: May 17, 2012

/S/
ANDREW HUANG
Assistant United States Attorney

3 DATED: May 17, 2012

/S/
ANGELA M. HANSEN
Assistant Federal Public Defender

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ORDER

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 finds:

4 1. Given that Mr. Choi has entered into a plea of guilty pursuant to an agreement
5 with the government;

6 2. Given that the plea agreement is under seal and that the parties agree that Mr.
7 Choi's sentencing hearing should follow the early August sentencing dates of the two co-
8 defendants in this case;

9 3. Given that the parties need additional time to prepare this matter for sentencing;

10 4. Given that Mr. Choi lives in Atlanta and still needs to be interviewed by the
11 probation office for the pre-sentence investigation; and

12 || 5. Given that the Speedy Trial Act does not apply;

13 Based on these findings, IT IS HEREBY ORDERED that the sentencing hearing date of
14 July 11, 2012, before the Honorable Phyllis J. Hamilton, is vacated and reset for August 29,
15 2012, at 2:30 p.m.

16 || May 21, 2012


PHYLLIS J. HAMILTON
United States District Judge